

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
GALVESTON DIVISION

CHARLES EDWARD BONNER, #560458	§	
	§	
v.	§	CIVIL ACTION NO. G-07-017
	§	
NATHANIEL QUARTERMAN,	§	
DIRECTOR OF TDCJ-CID	§	

**ORDER**

Before the Court is the Report and Recommendation of the United States Magistrate Judge that was entered on May 10, 2007. Petitioner has filed timely objections. (Instrument No. 10). Petitioner has also filed a “Request to the District Judge to take judicial notice of Record #12245 from the 239<sup>th</sup> District Court of Brazoria County, Texas that was transmitted to the Court by the Attorney General on April 5, 2007.” (Instrument No. 11).


Petitioner objects to the Report and Recommendation on the following four grounds: (1) the Magistrate Judge “erroneously impl[ies]” that he is challenging his 1980 conviction in Cause Number 12,245, “when in fact [Petitioner’s] writ challenge[s] the total ‘absence of a conviction in offense #12245’ stemming from the [state] Trial Court’s lack of subject matter jurisdiction to enter the judgment and sentence;” (2) he did not want or consent to the “services” of the Magistrate Judge so the Report and Recommendation is “made in absence of subject matter jurisdiction;” (3) the Report and Recommendation must be stricken because the Magistrate Judge lacked jurisdiction; and (4) “regardless of how many prior writs [Petitioner] filed in offense #12245,” does not change the fact that his conviction in that cause was invalid. Pet’r Obj. at 1-6.

Having given this matter *de novo* review under 28 U.S.C. § 636(b)(1)(C), this Court finds that

Petitioner's Objections are without merit and that the Report and Recommendation is correct and it is, therefore, **ACCEPTED** by this Court in its entirety and incorporated by reference herein.

Accordingly, it is **ORDERED** that Petitioner's Request for Judicial Notice (Instrument No. 11) is denied as **MOOT**; and that the Petition for a Writ of Habeas Corpus of Charles Edward Bonner (Instrument No. 1) is **DISMISSED** as his claims are time barred and not cognizable in a federal habeas petition.

**DONE** at Galveston, Texas this 24<sup>th</sup> day of May, 2007.

  
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Samuel B. Kent  
United States District Judge